

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 14502 of 2006(B)

PETITIONER:

O.K.PAULOSE, 'UTHALAKKATTU' HOUSE,
MEKKADAMPU KARA, VALAKOM VILLAGE,
PERUMBAAVOOR.

BY ADV. SRI.MURALI PURUSHOTHAMAN
SRI.P.M.BENZIR
SRI.DEEPU LAL MOHAN

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF EXCISE,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE COMMISSIONER OF EXCISE,
COMMISSIONERATE OF EXCISE, THIRUVANANTHAPURAM.
3. THE ASSISTANT EXCISE COMMISSIONER,
ERNAKULAM.

BY ADV. SRI.M.K.DILEEP KUMAR
GOVERNMENT PLEADER SRI.BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: The photocopy of the order No.E4-500/2006 dated 27-3-2006 issued by the 2nd respondent.

Ext.P2: The photocopy of the representation dated nil submitted by the petitioner before the 2nd respondent.

Ext.P3: The photocopy of the order No.E4-3652/06 dated 17-5-2006 issued by the 2nd respondent.

RESPONDENT'S EXHIBITS:

Ext.R2(a): Copy of order No.E4/9482/05/L.Dis. Dated 7-3-2006.

Ext.R2(b): Copy of order No.E4-500/06 dated 27-3-2006.

Ext.R2(c): Copy of order No.E4 3652/06 dated 17-5-2006.

// True copy //

P.A. to Judge
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C.N.RAMACHANDRAN NAIR, J.

W.P.(C)NO.14502 OF 2006

Dated this the 30th day of November 2006

JUDGMENT

Petitioner is challenging Ext.P3 order whereunder application for shifting toddy shop is declined on account of objection by public. According to the petitioner, public objection is not a ground for rejecting application for shifting toddy shop.

2. I am unable to accept this contention because if the toddy shop is shifted overruling public protest, the same may lead law and order problem. Therefore, there is no justification for interference by this court in this matter.

Writ petition is dismissed.

C.N.RAMACHANDRAN NAIR, JUDGE

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